

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

GREG SCHNEIDER, ) No. CV 14-01668-UA  
 )  
Plaintiff, ) ORDER SUMMARILY REMANDING  
 ) IMPROPERLY-REMOVED ACTION  
v. )  
 )  
MELANIE ROBERTS, )  
 )  
Defendant. )

The Court will remand this "Complaint - Unlawful Detainer," Case No. 13U02928, to state court summarily because Defendant removed it improperly.

On March 6, 2014, Defendant Melanie Roberts, having been sued in what appears to be a routine unlawful detainer action in California state court, lodged a Notice Of Removal of that action to this Court and also presented an application to proceed in forma pauperis. The Court has denied the latter application under separate cover because the action was not properly removed. To prevent the action from remaining in jurisdictional limbo, the Court issues this Order to remand the action to state court.

Simply stated, Plaintiff could not have brought this action in

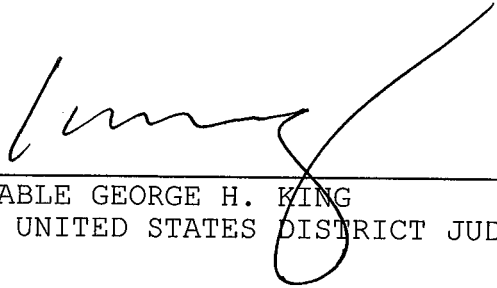
1 federal court in the first place, in that Defendant does not  
2 competently allege facts supplying either diversity or federal-  
3 question jurisdiction, and therefore removal is improper. 28 U.S.C.  
4 § 1441(a); see Exxon Mobil Corp v. Allapattah Svcs., Inc., 545 U.S.  
5 546, 563, 125 S.Ct. 2611 (2005). Even if complete diversity of  
6 citizenship exists, the amount in controversy does not exceed the  
7 diversity-jurisdiction threshold of \$75,000. See 28 U.S.C.  
8 §§ 1332, 1441(b). On the contrary, the unlawful-detainer complaint  
9 recites that the amount in controversy does not exceed \$25,000.

10 Nor does Plaintiff's unlawful detainer action raise any federal  
11 legal question. See 28 U.S.C. §§ 1331, 1441(b).

12 Accordingly, **IT IS ORDERED** that (1) this matter be **REMANDED** to  
13 the Superior Court of California, Los Angeles County, Stanley Mosk  
14 Courthouse, 111 North Hill Street, Los Angeles, California 90012 for  
15 lack of subject matter jurisdiction pursuant to 28 U.S.C. § 1447(c);  
16 (2) that the Clerk send a certified copy of this Order to the state  
17 court; and (3) that the Clerk serve copies of this Order on the  
18 parties.

19 **IT IS SO ORDERED.**

20  
21 DATED: 4/4/14

  
22 HONORABLE GEORGE H. KING  
23 CHIEF UNITED STATES DISTRICT JUDGE  
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